

PTO/SB/21 (09-04)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

	Application Number	pllection of information unless it displays a valid OMI	3 control number
OT DANCAUTTAL	Filing Date	10/709015	
OTP TRANSMITTAL	Filing Date	04/07/2004	
MAR 2 7 200c	First Named Inventor	Matthew Banet	
MAR 2 7 2006 5	Art Unit	3736	
(to be used for electrical correspondence after initial	Examiner Name filing)	Mallari, P.	
of Pages in This Submission	Attorney Docket Number	A-0004	
The Submission			
	ENCLOSURES (Check a	l that apply)	
Fee Transmittal Form Fee Attached	Drawing(s) Licensing-related Papers	After Allowance Commu	to Board
Amendment/Reply After Final Affidavits/declaration(s) Extension of Time Request Express Abandonment Request Information Disclosure Statement Certified Copy of Priority Document(s) Reply to Missing Parts/	Petition Petition to Convert to a Provisional Application Power of Attorney, Revocation Change of Correspondence Terminal Disclaimer Request for Refund CD, Number of CD(s) Landscape Table on Company Converses to the converse of CD(s) Remarks	Address Status Letter Other Enclosure(s) (plea below): Non patent literature attached	to TC ly Brief)
	URE OF APPLICANT, ATTO	RNEY, OR AGENT	
Firm Name			
Signature Mul 5	3-4		
Printed name Matthew J. Banet			
Date 3/17/2006		Reg. No. 40902	
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CE	RTIFICATE OF TRANSMISS	ON/MAILING	
I hereby certify that this correspondence is be sufficient postage as first class mail in an enve the date shown below:	ing facsimile transmitted to the USPT elope addressed to: Commissioner for	or deposited with the United States Postal S Patents, P.O. Box 1450, Alexandria, VA 223	Service with 13-1450 on
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Typed or printed name Ma H	Banet Ref. N	, 40,202 Date 3-17-0	ر ک

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es pursuant coma Consolidated Appropriations Act, 20	105 (H.R. 4818
FEE TRANSMIT	ΤΔΙ
For FY 2006	

Applicant claims small entity status. See 37 CFR 1.27

METHOD OF PAYMENT (check all that apply)

TOTAL AMOUNT OF PAYMENT

180.00

Complete if Known					
10/709,015					
04/07/2004					
Matthew Banet					
Mallari, P.					
3736					
A-0004					

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under 37 CF	R 1.16 and 1.	17	•		t any overpay		
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FEE CALCULATION (upon filin	g or may be	subject to	a surcharge)	
1. BASIC FILING, SEA				g ,		a our orial go.,	
,	FILING I	FEES	SEARC	H FEES	EXAMINA	TION FEES	
Application Type	<u>Fee (\$)</u>	mall Entity Fee (\$)	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fees Paid (\$)
Utility	300	150	500	<u>Fee (\$)</u> 250	200	Fee (\$)	rees Palu (\$)
Design	200	100	100			100	
Plant	200			50	130	65	
		100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	
2. EXCESS CLAIM FE Fee Description	ES						Small Entity
- Each claim over 20 (including R	eissues)				<u>Fee (\$)</u> 50	<u>Fee (\$)</u> 25
Each independent cla	aim over 3 (i	including Reiss	ues)			200	100
Multiple dependent	claims	8	,			360	180
Total Claims	Extra Claim	<u>Fee (\$)</u>	Fee Pa	aid (\$)		Multiple Der	pendent Claims
- 20 or HP = HP = highest number of total	d alaias id &-	_ X	_=			Fee (\$)	Fee Paid (\$)
Indep. Claims	Extra Claim		Fee Pa	nid (\$)			
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3. APPLICATION SIZE If the specification and	FEE I drawings e	xceed 100 sheet	s of naner	(excluding e	lectronically	v filed cogner	oo or computer
listings under 37 C	FR 1.52(e)).	the application	size fee d	ue is \$250 (\$	125 for sma	y mea sequent	each additional 50
sheets or fraction the	hereof. See	35 U.S.C. 41(a)	(1)(G) and	137 CFR 1.1	6(s)		acii additional 50
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4. OTHER FEE(S)	-	_ / 50 =	(r	ound up to a w	vnoie number)) ×	=
Non-English Specifi	cation. \$13	30 fee (no small	entity dis	count)			Fees Paid (\$)

SUBMITTED BY			
Signature	Muba	Registration No. (Attorney/Agent) 40,902	Telephone 858-427-4620
Name (Print/Type)	Matthew J. Banet		Date 3/17/2004

Other (e.g., late filing surcharge): Infomation Disclosure Statement

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Sheet

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Application Number 10/709,015

Filing Date 04/07/2004

First Named Inventor Matthew Banet

Art Unit 3736

Examiner Name Mallari, P

Attorney Docket Number A-0004

Complete if Known

Examiner	Cite	Document Number	Publication Date	T DOCUMENTS Name of Patentee or	Degra Calumna Linea Whan
Initials*	No.1	Number-Kind Code ^{2 (# known)}	MM-DD-YYYY	Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		^{US-} 3412729	11/1/1968	Smith	
		^{US-} 4063551	12/1/1977	Sweeny	
		^{US-} 4080966	3/28/1978	McNaily et al.	
		^{US-} 4367752	1/11/1983	Jimenez et al.	
		^{US-} 4380240	4/19/1983	Jobsis et al.	
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		^{US-} 4825879	5/2/1989	Tan et al.	
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		^{US-} 4917108	4/17/1990	Mault	
		^{US-} 5002055	3/26/1991	Merki et al.	
		^{US-} 5038792	8/13/1991	Mault	
		^{US-} 5111817	5/1/1992	Clark et al.	
		^{US-} 5178155	1/12/1993	Mault	
		^{US-} 5179958	1/19/1993	Mault	
		^{US-} 5213099	5/25/1993	Tripp, Jr.	
		^{US-} 5237997	8/1/1993	Greubel et al.	

		FORE	IGN PATENT DOCU	MENTS		
Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	
		Country Code ^{3 -} Number ^{4 -} Kind Code ⁵ (if known)	MM-DD-YYYY		Or Relevant Figures Appear	T ⁶
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Sheet 2

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INFORMATION DISC STATEMENT BY APPLIE

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of 5

Complete if Known **Application Number** 10/709.015 Filing Date 04/07/2004 First Named Inventor Matthew Banet Art Unit 3736 **Examiner Name** Mallari, P Attorney Docket Number A-0004

				DOCUMENTS	
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ^{2 (# known)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		^{US-} 5309916	5/10/1994	Hatschek	
		^{US-} 5435315	7/25/1995	McPhee et al.	
		^{US-} 5485848	1/23/1996	Jackson et al.	
	<u> </u>	^{US-} 5632272	5/27/1997	Diab et al.	
		^{US-} 5727558	3/17/1998	Hakki et al.	
		^{US-} 5743857	4/28/1998	Shinoda et al.	
		^{US-} 5836300	11/17/1998	Mault	
		^{US-} 5857975	1/12/1999	Golub	<u> </u>
		^{US-} 5865755	2/2/1999	Golub	
.,		^{US-} 5865758	2/2/1999	Louzianine	
		^{US-} 5891042	4/6/1999	Sham et al.	
		^{US-} 5921936	7/13/1999	Inukai et al.	
		^{US-} 6004274	12/21/1999	Nolan et al.	
		^{US-} 6013009	1/11/2000	Karkanen	
		^{US-} 6176831	1/23/2001	Voss et al.	
		^{US-} 6224548	5/1/2001	Gopinathan et al.	
		^{US-} 6245014	6/12/2001	Brainard, II, Edward C	
		^{US-} 6280390	8/28/2001	Akselrod et al.	
		^{US-} 6334065	12/25/2001	Al-Ali et al.	

		FORE	IGN PATENT DOCU	MENTS		
Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	
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	Application Number	10/709,015
INFORMATION DISCLOSURE	Filing Date	04/07/2004
	First Named Inventor	Matthew Banet
STATEMENT BY APPLICANT	Art Unit	3736
(Use as many sheets as necessary)	Examiner Name	Mallari, P
Sheet 3 of 5	Attorney Docket Number	A-0004

Cite	Dogument Musel		DOCUMENTS	
No.1	Number-Kind Code ^{2 (if known)}	MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		4/16/2002	Caro, et al.	
		8/1/2002	Nissila et al.	
		9/3/2002	Nissila et al.	
		9/3/2002	Ting et al.	
		11/5/2002	Frelburger et al.	
		11/5/2002	Khair et al.	
		11/5/2002	Ronkainen et al.	
		1/28/2003	Asmar	
		2/4/2003	Baura	
		3/4/2003	Stivoric et al.	
		3/18/2003	Khair, et al.	
		4/22/2003	Rytky	
		4/29/2003	Schulze et al.	
		5/6/2003	Burd et al.	
		5/27/2003	Mault	
		7/22/2003	Stivoric et al.	
		7/29/2003	Chen et al.	
		8/12/2003	Bimbaum	
	^{US-} 6616613	9/9/2003	Goodman	
	Cite No.1	No.1	Cite No.1 Document Number Publication Date MM-DD-YYYY US- 6371921 4/16/2002 US- 6432061 8/1/2002 US- 6443905 9/3/2002 US- 6443906 9/3/2002 US- 6475146 11/5/2002 US- 6475153 11/5/2002 US- 6477397 11/5/2002 US- 6511436 1/28/2003 US- 6514211 2/4/2003 US- 6533729 3/18/2003 US- 6553247 4/22/2003 US- 655852 4/29/2003 US- 6571200 5/27/2003 US- 6595929 7/22/2003 US- 6599251 7/29/2003 US- 6605044 8/12/2003	Document Number Publication Date MM-DD-YYYY Name of Patentee or Applicant of Cited Document

		FORE	IGN PATENT DOCU	MENTS		_
Examiner Initials*	Cite No.1	Cite Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	T
	<u> </u>	Country Code ^{3 -} Number ^{4 -} Kind Code ⁵ (if known)	MM-DD-YYYY	Typhoant or oned bocament	Or Relevant Figures Appear	T ⁶
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		Application Number	10/709,015
INFORMATION DISCLOSURE		Filing Date	04/07/2004
	- · · - 	First Named Inventor	Matthew Banet
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	(Use as many sheets as necessary)	Examiner Name	Mallari, P
Sheet	4 of 5	Attorney Docket Number	A-0004

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Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ^{2 (# known)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		^{US-} 6645154	11/11/2003	Oka	
	ļ	^{US-} 6645155	11/11/2003	Inukai et al.	-
		^{US-} 6652466	11/25/2003	Sugo et al.	
		^{US-} 6678543	1/13/2004	Diab et al.	
		^{US-} 6681454	1/27/2004	Modgil et al.	
		^{US-} 6714804	3/30/2004	Al-Ali, et al.	
		^{US-} 6723054	4/20/2004	Baruch et al.	
		^{US-} 6733447	5/1/2004	Lai et al.	
		^{US-} 6740045	5/25/2004	Amano	
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		^{US-} 6808473	10/26/2004	Hisano, et al.	
_		^{US-} 6813511	11/2/2004	Diab, et al.	
		^{US-} 6814705	11/9/2004	Kawaguchi	
		^{US-} 6852083	2/8/2005	Caro, et al.	
		^{US-} 6871084	3/22/2005	Kigsley et al.	
		^{US-} 20020183627	12/5/2002	Nishii et al	
		^{US-} 20040030261	2/12/2004	Rantala, Borje	
		^{US-} 20040260186	12/23/2004	Dekker, Andreas Lubbertus Aloysius	
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Examiner Initials*	Cite No.1	Cite Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	
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	Examiner Name	Mallari, P		
Sheet 5 of 5	Attorney Docket Number	A-0004		

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	1	WEIJIA CUI, LEE E. et el., In VIvo Reflectance of Blood and Tissue as a Function of Light Wavelength, submitted to IEEE Transactions on Biomedical Engineering, Vol. 37 No. 6	

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